

REMARKS

Claim 28 has been amended. Claims 28-47 are presently pending, of which claims 39-47 have been withdrawn from consideration.

The Examiner is thanked for the courtesies extended during the interview conducted August 15, 2005.

Enclosed with this Amendment is a copy of the Declaration under Rule 1.132 dated December 25, 2004 ("Declaration"), which was submitted with the amendment filed December 30, 2004.

In view of the amendment to claim 28, the previously filed Declaration, the Supplemental Declaration under Rule 1.132 submitted with this response and the following remarks, reconsideration and allowance of the claims, as presently presented, are respectfully requested.

EXAMINER'S ACTION

Claims 28-38 stand rejected as being obvious over Craven in view of *Polymer Science*. Claim 28, as amended to eliminate the recitation that the article is a "shoe sole", and claims 29-38, which depend directly or indirectly upon claim 28, clearly are patentable over the cited references.

As discussed during the Examiner interview, Craven teaches particles over a wide range that is greater than the claimed range of an average particle size of less than 10 microns. In response to the Examiner's statement that there is no showing of unexpected results for a layer of 10 microns or less, applicant submits a Supplemental Declaration under Rule 132 showing experimental results for a tire at thicknesses below 0.2 microns and as high as 105 microns. Referring to Section III of the Supplemental Declaration and also to Section (3) of the previously filed Declaration, it is shown that an

optimal energy consumption is achieved in the claimed range of 0.01 to 10 microns, as required by claim 28. It is respectfully submitted that the combination of the cited references does not teach or suggest that the optical energy consumption is achieved by providing an article with the film thickness and particle size as required by claim 28.

Accordingly, claims 28-38 are not obvious over the cited art and withdrawal of the Section 103 rejection is, therefore, respectfully requested.

CONCLUSION

For the foregoing reasons, it is believed that all of the claims, as presently presented, are patentable.

The Examiner is invited to telephone the undersigned if it is believed that further amendment and/or discussion would help to advance the prosecution of the present application.

Reconsideration and allowance of claims 28-38 are, therefore, respectfully requested.

Respectfully submitted,



Davy E. Zonerach
Registration Number 37,267

NORRIS, McLAUGHLIN & MARCUS

P.O. Box 1018

Somerville, New Jersey 08876-1018

Phone: (908) 722-0700

Fax: (908) 722-0755

E-Mail: jpdept@nmmlaw.com

Encls. Declaration under Rule 1.132 dated December 25, 2004; Supplemental

Declaration under Rule 1.132 dated September 15, 2005

Attorney Docket No: 103152-2US